

**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D.C. 20548

*Haubert  
C.P.*

FILE: B-190709

DATE: December 30, 1977

MATTER OF: William E. Miller - Temporary storage  
of household goods

DIGEST: Transferred employee transported and temporarily stored household goods on Government bill of lading. Although household goods were actually in storage for only 52 days, Government was billed by carrier for 3 storage periods (equivalent to 90 days) pursuant to applicable tariff. Employee is not required to pay for third storage period since FTR paragraph 2-8.2c authorizes up to 60 days temporary storage, which refers to days actually in storage, rather than storage periods set in tariffs for billing purposes.

By a letter dated November 2, 1977, Mr. Anthony J. Rudez, Jr., an authorized certifying officer of the National Oceanic and Atmospheric Administration (NOAA), Department of Commerce, requested our decision concerning the proper amount of temporary storage charges which may be paid on behalf of Mr. William E. Miller incident to a permanent change of station.

The record shows that Mr. Miller, a National Weather Service employee, was transferred from Oklahoma City, Oklahoma, to New York, New York, in October 1975. Incident to the transfer, a Government bill of lading was issued authorizing transportation of his household goods and storage in transit for up to 60 days. Mr. Miller's household effects initially went into storage on September 15, 1975, in Oklahoma City. They were removed on October 27, 1975, 42 days later, and shipped to Newark, New Jersey. Storage was then provided in Newark from November 7, 1975, until final delivery at Mr. Miller's new residence on November 17, 1975. Mr. Miller's household effects were, therefore, placed in storage for a total of 52 days. NOAA, however, was billed by the carrier for service provided during three storage periods, which is the equivalent of 90 days. This billing practice was in accordance with Military and Government Rate Tariff No. 1-G, which provides that storage charges apply for each 30 days or fraction thereof each time storage in transit service is rendered.

The employing agency subsequently collected \$255.45 by payroll deduction from Mr. Miller, representing the carrier's charges for the third storage period. The collection action was based on the

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agency's interpretation of paragraph 2-8.2c of the Federal Travel Regulations (FPMR 101-7, May 1973), which authorizes temporary storage for up to 60 days. Under the agency's view, the 60 day limitation is synonymous with 2 storage periods, and the employee must bear the expense of any excess storage periods.

Mr. Miller has appealed on the grounds that FTR paragraph 2-8.2c authorizes temporary storage not to exceed 60 days, not 2 storage periods, and that his travel orders provided likewise. In addition, he states that the contract with the carrier did not refer to storage periods, and that he never authorized the carrier to store his goods at the new station. Further, Mr. Miller executed an order for service which authorized the carrier to store the goods in transit at the place of origin only. In view of Mr. Miller's contentions, the matter has been referred to this Office for a determination of the proper interpretation of the applicable regulations.

As noted above, FTR paragraph 2-8.2c provides that the time generally allowable for temporary storage shall not exceed 60 days. Paragraph 2-1.4e defines temporary storage to mean:

"Storage of household goods for a limited period of time at origin, destination, or en route in connection with transportation to, from, or between official stations or posts of duty or authorized alternate points."

The term "days" is not otherwise defined. We have held, however, that the unmodified word "days" generally has been regarded as referring to "calendar days" in the absence of a clear intention to the contrary. Joseph E. Stepan, 56 Comp. Gen. 15, 17 (1976). It is our view, therefore, that when an employee's household goods are shipped on a Government bill of lading, the 60 day limitation on temporary storage refers to calendar days during which the employee's household effects were in fact in storage, rather than the storage periods which may be set in the tariffs for billing purposes.

In the present case, the employee's household goods were in temporary storage for a total of only 52 calendar days. Since the regulations authorize such storage for a period not to exceed 60 days,

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the actual services rendered by the carrier to the Government on behalf of Mr. Miller did not exceed the time limit imposed by regulation. Although the charges under the applicable tariff are based on 30 day storage periods, the entire amount of such charges may be paid since Mr. Miller's household effects were actually in storage for only 52 days.

Accordingly, if otherwise proper, the amount previously collected from Mr. Miller for the third period of storage may be refunded to him.

  
Acting Comptroller General  
of the United States